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Journals *of the* Senate

and

House *of* Representatives

2

Extra Session of 1922







JOURNAL  
OF  
**THE SENATE**  
OF THE  
**STATE OF MICHIGAN**

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**EXTRA SESSION OF 1922**

**October 10 to October 20**

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Printed by virtue of an act of the Legislature, under the direction and  
supervision of

**DENNIS E. ALWARD**  
Secretary of the Senate



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**BY AUTHORITY**

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LANSING, MICHIGAN  
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1922



**MICHIGAN**  
**Journal of the Senate**  
**EXTRA SESSION OF 1922**

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**NUMBER ONE.**

Senate Chamber, Lansing, Tuesday, October 10, 1922.

Pursuant to a proclamation of Hon. Alex. J. Groesbeck, Governor of the State of Michigan, calling the Legislature to meet in extraordinary session, the Senate convened in the Senate Chamber in the Capitol at Lansing, on Tuesday, the tenth day of October, 1922, at two o'clock in the afternoon, and was called to order by Hon. Thomas Read, Lieutenant Governor and President of the Senate.

Religious exercises were conducted by Rev. C. Jeffares McCombe, of the Central Methodist Episcopal Church of Lansing.

The President announced that the hour had arrived of the day on which, in accordance with the proclamation of the Governor, the Legislature is required to meet in extraordinary session and he directed that the proclamation be read.

The Secretary (Dennis E. Alward) thereupon read the proclamation, as follows:

**Proclamation of the Governor**

State of Michigan,  
Executive Office, Lansing.

To All Whom It May Concern:

Greeting:

By virtue of the authority vested in me as Governor of the State of Michigan, I hereby call the Legislature of the State to meet in extraordinary session on October tenth, 1922, at two o'clock in the afternoon, for the purpose of considering legislation regulating and controlling the sale and distribution of fuel within the State.

[Seal.]

Given under my hand and the Great Seal of the State this second day of October in the year of our Lord one thousand nine hundred and twenty-two, and of the Commonwealth the eighty-seventh.

By the Governor:  
CHARLES J. DeLAND,  
Secretary of State.

ALEX. J. GROESBECK,  
Governor.

**Resignation.**

The President announced that, since the last meeting of the Senate, John W. Smith had resigned as Senator from the Second District.

**Calling of the Roll.**

By direction of the President, the Secretary called the roll, and 28 Senators, a quorum, answered to their names, as follows:

First District—Walter J. Hayes.

Fourth District—George M. Condon.

Fifth District—Oscar A. Riopelle.



Sixth District—Donald C. Osborn.  
Seventh District—Roy Clark.  
Eighth District—Bayard G. Davis.  
Ninth District—James Henry.  
Tenth District—Burney E. Brower.  
Eleventh District—John W. Smith.  
Twelfth District—Charles A. Sink.  
Thirteenth District—Henry T. Ross.  
Fourteenth District—Byron P. Hicks.  
Fifteenth District—G. Elmer McArthur.  
Sixteenth District—Eva M. Hamilton.  
Seventeenth District—Thomas H. McNaughton.  
Eighteenth District—Foss O. Eldred.  
Nineteenth District—Ernest J. Bryant.  
Twentieth District—George B. Forrester.  
Twenty-second District—Harvey A. Penney.  
Twenty-third District—Arthur J. Bolt.  
Twenty-fourth District—Ralph W. Phillips.  
Twenty-fifth District—Aaron Amon.  
Twenty-sixth District—Charles Tufts.  
Twenty-seventh District—Albert J. Engel.  
Twenty-eighth District—Duncan McRae.  
Thirtieth District—William A. Lemire.  
Thirty-first District—Frank H. Vandenboom.  
Thirty-second District—James M. Wilcox.

The following named Senators were not present:

Third District—Arthur E. Wood.  
Twenty-first District—O. G. Johnson.  
Twenty-ninth District—Herbert F. Baker.

#### Notification to the Governor.

Mr. McNaughton offered the following resolution:

Senate resolution No. 1.

Resolved, That the Secretary inform the Governor that a quorum of the Senate is assembled and that the Senate is ready to proceed with the business of the extra session.

The resolution was adopted.

#### Notification to the House.

Mr. Wilcox offered the following resolution:

Senate resolution No. 2.

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed with the business of the extra session.

The resolution was adopted.

#### Hour of Daily Sessions.

Mr. Condon offered the following resolution:

Senate resolution No. 3.

Resolved, That the daily sessions of the Senate commence at two o'clock p. m., unless otherwise ordered.

The resolution was adopted.

#### Senate Rule No. 41 Suspended.

Mr. Eldred offered the following resolution:

Senate resolution No. 4.

Resolved, That Senate Rule No. 41, which reads as follows: "Every bill shall have been printed and in the possession of the Senate at least five days before the

vote on the final passage of the same is taken," be and is hereby suspended during the present extraordinary session.

The resolution was adopted, two-thirds of all the Senators voting therefor.

#### Account Allowed.

Mr. Forrester offered the following resolution:

Senate resolution No. 5.

Resolved, That the President of the Senate be and is hereby authorized to issue a voucher for fifteen dollars in favor of Mary L. Morse for services in preparing the Senate Chamber for the extra session.

The resolution was adopted.

The Secretary announced that, as directed by the Senate, he had notified the Governor and the House of Representatives that a quorum of the Senate has assembled and that the Senate is ready to proceed with the business of the extraordinary session.

#### Message from the House.

A message was received from the House of Representatives informing the Senate that a quorum of the House had assembled and that the House was ready to proceed with the business of the extra session.

#### Message from the Governor.

The following message from the Governor was received and read:

State of Michigan,  
Executive Office, Lansing,  
October 10, 1922.

Gentlemen of the Legislature:

This session was called for the express purpose of securing legislation empowering the State to deal with an existent fuel emergency caused by abnormal conditions pertaining to both supply and distribution. There is a considerable shortage of anthracite and bituminous coal occasioned by two nation-wide industrial disturbances each contributing its quota in the development of a most unsatisfactory situation. It is the obvious duty of the State to use such power as it possesses to aid in securing for its citizens adequate fuel supplies and to prohibit profiteering therein. These ends can only be attained through appropriate legislation of such a wholesome character as to impress its fairness not only upon the consumer but the dealer as well. State officers should be clothed with sufficient authority, power and discretion to make their endeavors productive of beneficial results, and insure co-operation on the part of those engaged in the trade who are willing to accept a just margin of profit. Prices now being charged at the mines are far above what they legitimately should be, considering costs of production and reasonable margins of profit. This is a matter which both Federal and State authorities should give their immediate consideration. Joint action will do much to remove the injustice of these excessive charges and restore the industry to a more normal basis. A fuel administrator without the backing of a workable law is powerless to materially assist the public. It has been clearly demonstrated that voluntary fair-price committees cannot adequately effect either a fair price or an equitable distribution. Their activities should go hand in hand with the operations of the fuel administrator in whom the final power to prevent abuses must be vested.

There is not the slightest desire or disposition on my part to unduly interfere with private enterprise, and you have been summoned for the purpose of furthering and assisting the same when legitimately conducted, and also affording ample protection to the rights of the public.

Respectfully,

ALEX. J. GROESBECK,  
Governor.

On motion of Mr. Tufts,

The message was referred to the Committee on State Affairs.

Mr. Henry moved that the Senate adjourn.

The motion prevailed, the time being 2:42 o'clock p. m.

Accordingly, the President declared the Senate adjourned until tomorrow at 2:00 o'clock p. m.

DENNIS E. ALWARD,  
Secretary of the Senate.

**NUMBER TWO.**

Senate Chamber, Lansing, October 11, 1922.

2:00 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Dr. Edwin W. Bishop of the Plymouth Congregational Church of Lansing.

The roll of the Senate was called by the Secretary and 30 Senators, a quorum, answered present, as follows:

Amon	Engel	McArthur	Ross
Baker	Forrester	McNaughton	Sink
Bolt	Hamilton	McRae	Smith
Bryant	Hayes	Osborn	Tufts
Clark	Henry	Penney	Vandenboom
Condon	Hicks	Phillips	Wilcox
Davis	Johnson	Riopelle	Wood
Eldred	Lemire		

Absent without leave: Senator Brower—1.

Mr. Hicks moved that Mr. Brower be excused from today's session.

The motion prevailed.

**Introduction of Bills.**

Mr. Lemire introduced  
Senate bill No. 1, entitled

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

**Motions and Resolutions.**

Mr. Osborn offered the following concurrent resolution:  
Senate concurrent resolution No. 1

A concurrent resolution addressed to the President of the United States, pertaining to the distribution, supply and prices of fuel within the State of Michigan.

Resolved by the Senate (the House of Representatives concurring), as follows: The Legislature of the State of Michigan respectfully represents that although Michigan has some coal mines now in operation, the total production of coal in said State does not equal, under present circumstances, 2,000,000 tons a year and that the amount of coal produced in the State of Michigan is not sufficient to materially affect the market, or to take care of the needs and necessities of the people of said State and that said State is compelled to depend very largely for fuel upon coal produced outside the State of Michigan and moved into said State by railroad transportation in interstate commerce or during the period of navigation by shipment from various Lake Erie ports by lake vessels.

That the State of Michigan contemplates enactment of a law providing for the appointment of a State Fuel Administrator, with the power and authority to regulate the prices of fuel and to regulate the distribution thereof within the

State of Michigan, but from the very nature of the case such legislation has no extra territorial effect and cannot be made the basis of any regulation of coal prices at the mines outside the State of Michigan. That the Congress of the United States has recently enacted a law providing for the appointment of a Federal Fuel Administration, with power and authority, among other things, to fix and regulate the cost of coal moving in interstate commerce. That the price of anthracite coal, which is extensively used in the State of Michigan by reason of its rigorous climate, for household purposes, varies from \$8.50 a ton at the mines, to \$12.50 a ton at the mines, \$12.50 being charged for the same by independent operators. That as your memorialists believe, said prices are greatly in excess of the true value of said coal, and that the same ought to be reduced. That the prices now being charged for bituminous coal throughout the United States, at the mines, are very greatly in excess of the prices which ought to obtain and are grossly in excess of what said prices were last year when the same scale of wages was being paid by the operators to the miners that is being paid at the present time. That by reason of said excessive prices imposed by the operators upon the purchasers of coal and the wide variation in said prices, it is difficult to regulate the price of said coal at retail and that by reason of said excessive prices at the mines and the high freight rate on coal moving into the State of Michigan, in interstate commerce, the cost thereof to the consumers in the State of Michigan is excessively high and so high as to constitute a burden upon the public and a menace to the peace, welfare and safety of the State.

Your memorialists, therefore, request Your Excellency to take such action looking toward the control of the price of coal moving in interstate commerce, as shall result in a material reduction in said prices, so that this commodity may be placed at the disposition of the individual user at a price within his means.

Your memorialists further request that the Federal Government, through the authority conferred by the Transportation Act upon the Interstate Commerce Commission, take prompt action to see to it that a sufficient supply of cars shall be placed at the mines so that coal production during the present crisis may be continued without interruption and that the urgent needs of this and other states may be met.

Pending the order that, under rule 59, the concurrent resolution lie over one day,

Mr. Osborn moved that rule 59 be suspended.

The motion prevailed.

The concurrent resolution was then considered and adopted.

Mr. Ross offered the following resolution:

Senate resolution No. 6.

Resolved, That the President, on behalf of the Senate, express the most cordial felicitations of this body to Colonel Theodore Roosevelt on the occasion of his visit to the State of Michigan and extend to him an invitation to address the Senate at his convenience tomorrow.

The resolution was adopted.

Mr. Engel moved that the Senate adjourn.

The motion prevailed, the time being 2:22 o'clock p. m.

Accordingly, the President declared the Senate adjourned until tomorrow at 2:00 o'clock p. m.

DENNIS E. ALWARD,  
Secretary of the Senate.

**After Recess.**

1:00 o'clock p. m.

The House was called to order by the Speaker.

Mr. Hartway entered the House and took his seat.

Mr. Wells moved that the House take a recess until 3:30 o'clock p. m.  
The motion prevailed.

**After Recess.**

3:30 o'clock p. m.

The House was called to order by the Speaker.

Mr. Culver moved that the House take a recess until 8:00 o'clock p. m.  
Mr. Copley moved to amend the motion by making the time 4:40 o'clock p. m.  
The motion prevailed.  
The question being on the motion made by Mr. Culver, as amended,  
The motion prevailed.

**After Recess.**

4:40 o'clock p. m.

The House was called to order by the Speaker.

Mr. Dunn moved that the House take a recess until 5:10 o'clock p. m.  
The motion prevailed.

**After Recess.**

5:10 o'clock p. m.

The House was called to order by the Speaker.

Mr. Liddy moved that the House take a recess until 7:00 o'clock p. m.  
The motion prevailed.

**After Recess.**

7:00 o'clock p. m.

The House was called to order by the Speaker.

Messrs. Dafoe and Glaspie entered the House and took their seats.

The House took up the order of

**REPORTS OF STANDING COMMITTEES.**

The Committee on State Affairs, by Mr. Hunter, Chairman, reported  
House Bill No. 1 (file No. 1), entitled

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

The committee recommended that the following amendments be adopted, and that the bill then pass:

Section 1. Strike out the word "fuel" in line 1 and insert in lieu thereof, "coal and coke."

Line 3. Strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

Section 2, line 3, after the word "administrator" insert a comma and also following the comma insert the word "who."

Line 5, strike out the words "but if such."

Line 5, strike out the words "no extra," and insert in lieu thereof the words, "only \$1.00 per year."

Line 6, strike out the comma after the word "administrator" and insert in lieu thereof a period.

Lines 6, 7 and 8, strike out the words "unless otherwise ordered by the State Administrative Board. Said administrator shall be deemed to be an officer within the meaning of Act No. 2 of the Public Acts of 1921."

Section 3, line 1, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

Line 3, strike out the word "use." After the word "distribution" insert the word "production." Strike out the word "fuel" and insert the words "coal and coke."

Line 4, after the word "State" strike out the words "and the production within the State of fuel."

Line 5, strike out the word "fuel" and substitute in lieu thereof the words "coal and coke."

Line 8, strike out the word "fuel" where it appears twice and substitute "coal and coke."

Line 12, strike out all of lines 13, 14, 15, 16, 17, 18, up to and including the words "the maximum price."

Line 18, capitalize first letter of word "May."

Line 22, strike out the word "fuel" and insert in lieu thereof "coal or coke."

Line 25, strike out the word "fuel" and insert in lieu thereof "coal and coke."

Line 28, strike out "fuel" and insert in lieu thereof "coal and coke."

Line 29, strike out "fuel" and insert in lieu thereof "coal and coke."

Line 31, strike out "fuel" and insert in lieu thereof "coal or coke."

Line 34, strike out "fuel" and insert in lieu thereof "coal or coke."

Lines 37 and 38, strike out.

Section 4, line 2, strike out "fuel" and substitute "coal and coke."

Line 6, following comma after word "village," strike out "or" and insert in lieu thereof the word "and."

Section 5, line 1, strike out the word "fuel" and insert in lieu thereof the words "coal and coke." Following the comma after the word "administrator" insert the word "or." Following the word "deputy" strike out the words "or employe."

Line 5, following the word "attendance" insert the words "in the county in which said licensee resides."

Line 6, strike out the words "or employe."

Line 11, strike out the words "or employe."

Line 13, strike out the words "or employe." Before the word "deputy" insert word "or."

Line 27, insert at end of line "Provided, however, that any person in the employ of the administrator who shall divulge any information secured by him in respect to the transaction, property or business of any person, firm or corporation, or association, to any person other than the administrator or some proper employe, unless called upon to do so by a court of competent jurisdiction in this State, shall be fined not less than \$100.00 nor more than \$500.00, and shall thereafter be disqualified to serve in the office of the Coal and Coke Administrator."

Section 6, line 3, after the words "all places" insert the words "excepting households and the curtilages thereof." Strike out the word "fuel," and insert "coal or coke."

Line 5, strike out the word "fuel" and insert "coal or coke."

Section 7, line 2, strike out the word "fuel" and insert "coal or coke."

Line 4, strike out the word "fuel" in both places and insert in lieu thereof the words "coal or coke."

Line 7, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Line 9, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Line 11, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Section 8, strike out all of Section 8 and substitute the following: "If coal or coke (1) be held, contracted for or arranged for, by any coal or coke dealer,

wholesaler or retailer, in a quantity in excess of the reasonable requirements of his business, for use or sale by him for a reasonable time; or (2) be withheld, whether by possession or under any contract or arrangement, from the market, by any person for the purpose of unreasonably increasing the prices, the State Coal and Coke Administrator, by order, may require the sale of such coal or coke, or of such excess of requirements, within a reasonable time and at a price to yield to the owner a fair profit to be specified in the order. If such order be not complied with, the State Coal and Coke Administrator may apply to the circuit court for the county in which such person resides for the appointment of himself, or one of his deputies, to take possession of and sell the same for cash. Such application shall be brought on for hearing within five days after the filing of the same. Notice of the hearing on said application shall be served on the owner or his agent in charge of said coal or coke in such manner as the court shall direct at least twenty-four hours before said hearing is had. At said hearing the court shall determine whether the price fixed by the order of the said Coal and Coke Administrator will yield a fair profit to the owner of said coal or coke. If the court shall find a violation of the provisions of this section, then the court shall enter an order appointing a receiver and affirming the order of the said Coal and Coke Administrator. If not, the court shall enter an order setting aside the said order of the Coal and Coke Administrator and denying the application. The price fixed in the order of said Administrator shall be prima facie evidence in said proceeding of the value of said coal or coke. Immediately upon the sale of said coal or coke, the proceeds of such sale shall be paid to the owner of the same, subject to an accounting to said court. No appeal shall be allowed from any order of the circuit court made pursuant to this section."

Section 9, line 1, strike out the word "ten" and insert the word "twenty."

Line 3, strike out the word "fuel" and insert the words "coal or coke."

Line 4, strike out the word "fuel" and insert in lieu thereof the words "coal and coke." After the word "to" insert the words "pass upon and determine the qualifications of applicants and to."

Line 17, at end of line, after comma following word "hearing" insert the words "held in the county in which said licensee resides,"

Line 20, after the word "hearing" insert the words "and decision."

Line 21, after the word "suspension" insert the words "and decision."

Line 25, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Section 10, strike out lines 1, 2 and 3.

Line 5, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

Line 11, strike out sentence commencing "A violation" and ending "a felony" in line 14.

Section 11, line 3, strike out the word "have" and insert in lieu thereof the words "appeal from."

Line 4, strike out the words "reviewed by certiorari in the Supreme Court," and substitute in lieu thereof the words "as from decrees of the Circuit Court in Chancery."

Line 5, strike out the word "said" and insert in lieu thereof the words "the supreme."

Section 12, strike out subdivision 1 and renumber the other subdivisions "1, 2 and 3."

Line 7, strike out the word "fuel" and substitute in lieu thereof the words "coal and coke."

Section 13, line 2, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

Section 14, line 4, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Line 5, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."



Line 9, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Line 13, strike out the word "fuel" and insert in lieu thereof the words "coal or coke."

Line 24, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

Section 15, lines 2, 3, 4, 5, strike out.

Line 6, strike out after the first word "and" the words "shall discharge."

Line 7, after the word "office" insert a comma and following the comma insert the words "shall be discharged and all records of such office shall be deposited with the State Administrative Board." Starting with the words "provided, however," strike out all of the remainder of section 15.

Section 16, line 4, strike out the word "fuel" and insert in lieu thereof the words "coal and coke."

The question being on the adoption of the amendments to the bill recommended by the committee,

The amendments were adopted.

The bill was referred to the Committee on Ways and Means.

By unanimous consent the House took up the order of

#### Messages from the Senate.

A message was received from the Senate transmitting  
Senate bill No. 1 (file No. 1), entitled

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

The message informed the House of Representatives that the Senate had passed the bill, and had ordered that the bill take immediate effect.

The bill was, without objection, referred to the Committee on Ways and Means.

Mr. Lord moved that the House take a recess until 8:00 o'clock p. m.

Mr. Liddy moved that the House adjourn.

The motion did not prevail.

The question then being on the motion made by Mr. Lord,

The motion prevailed.

#### After Recess.

8:00 o'clock p. m.

The House was called to order by the Speaker.

Mr. Dunn moved that the House take a recess until 9:00 o'clock p. m.

The motion prevailed.

#### After Recess.

9:00 o'clock p. m.

The House was called to order by the Speaker.

Mr. Frick moved that the hour of the meeting of the House on Friday, October 13, be fixed at 9:00 o'clock a. m.

The motion prevailed.

Mr. Frick moved that the House adjourn.

The motion prevailed.

The Speaker declared the House adjourned until Friday, October 13, at 9:00 o'clock a. m.

CHARLES S. PIERCE,  
Clerk of the House of Representatives.

# JOURNAL OF THE HOUSE

## NUMBER FOUR.

Lansing, Friday, October 13, 1922.

The House was called to order by the Speaker.

Rev. C. W. Kemper, of the First Baptist Church of Lansing, offered the invocation:

Let us pray. Great God, our Father, the one from whom all good things of life come, for Thy unmeasured blessings we come to Thee with gratitude this morning, and as we begin this day and this day's tasks, we ask for the guidance of Thy good judgment, Thy fine motives, Thy splendid spirit. Give to us visions that are wide, aspirations that are high, ideals that are clear and motives that are the best. Remind us of our obligations, remind us that we are representatives of high and holy things. Grant heaven's blessings this day upon the work of this splendid group of men, and in the work of this day may high interests in our great State be forwarded and bettered, and may we be advanced one good day's journey towards those better days ahead.

We ask in the name of Jesus Christ, our Lord. Amen.

The roll of the House was called by the Clerk, who announced that a quorum was present.

The following members were absent with leave: Messrs, Burnham, Chase, and Pitkin.

The following members were absent without leave: Messrs. Fuller, Henze, Moore, Mosier, Smith, and Town.

## REPORTS OF STANDING COMMITTEES.

The Committee on Ways and Means, by Mr. Jerome, Chairman, reported Senate Bill No. 1 (file No. 1), entitled:

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

The committee recommended that the following amendments be adopted and that the bill then pass:

Amend Section 2, line 3, by inserting after the word "administrator" a comma, and after the comma the word "who."

Amend Section 2, line 5, by striking out the words "but if such" and inserting in lieu thereof "and who."

Amend Section 2, line 5, by striking out the word "extra."

Amend Section 2, lines 6 and 7, by striking out the words "unless otherwise ordered by the State Administrative Board."

Amend Section 5, line 1, by inserting after the word "administrator" the word "or."

Amend Section 5, line 1, by striking out after the word "deputy" the words "or employe."

Amend Section 5, line 6, by striking out the words "or employe."

Amend Section 5, line 11, by striking out the words "or employe."

Amend Section 5, line 12, by inserting after the word "administrator" the word "or."

Amend Section 5, line 13, by striking out the words "or employe."

Amend Section 5 by adding at the end thereof the following:

"Provided, however, That any person in the employ of the Administrator who shall divulge any information secured by him in respect to the transactions,

property or business of any person, firm or corporation, or association, to any person other than the Administrator or some proper employe, unless called upon to do so by a court of competent jurisdiction in this state, shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, and shall thereafter be disqualified to serve in the office of fuel administrator."

Amend Section 8, line 11, by striking out the words "any circuit court" and inserting in lieu thereof "the circuit court for the county in which such person resides, or such fuel is located."

Amend Section 8, line 20, by striking out the words "he shall so find he" and inserting in lieu thereof the following: "The court shall find a violation of the provisions of this section then the court."

Amend Section 9, line 4, by inserting after the word "upon" the words "and determine."

Amend Section 9, line 1, by striking out the word "ten" and inserting in lieu thereof the word "twenty."

Amend Section 9, line 17, after the word "hearing" by inserting the following: "Held in the county where such licensee resides."

Amend Section 9, line 16, by striking out the word "he" and inserting in lieu thereof "the administrator or his deputy."

Amend Section 9, by striking out commencing with the word "and" in line 18 all down to and including the word "suspension" in line 21.

Amend Section 12, line 2, by inserting after the word "coal" the word "and."

Amend Section 12 by striking out commencing with the word "charcoal" in line 2, down to and including the word "electricity" in line 3.

The question being on the adoption of the amendments to the bill recommended by the committee,

The amendments were adopted.

The bill was referred to the Committee of the Whole and placed on the General Orders.

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Mr. Smith entered the House and took his seat.

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Mr. Lord moved that there be a call of the House.  
The motion prevailed.

#### Proceedings Under the Call.

The roll of the House was called by the Clerk, and Messrs. Dean, Fuller, Henze, Moore, Mosier and Town were reported absent without leave.

Mr. MacDonald moved that Mr. Dean be excused from the operation of the call.  
The motion prevailed.

Mr. Lord moved that the Sergeant-at-arms be despatched after the absentees.

Mr. Dunn moved to amend by excepting Mr. Henze.

The motion prevailed.

The question being on the motion made by Mr. Lord, as amended,

The motion did not prevail.

Mr. Strom moved that the Sergeant-at-arms be despatched after such absentees as might be found in the city of Lansing.

The motion prevailed.

Mr. Copley moved that the House proceed with the regular order of business under the call.

The motion prevailed.

The House resumed the regular order of business.

**GENERAL ORDERS OF THE DAY.**

The Speaker called Mr. Meggison to the chair to preside during the sitting of the Committee of the Whole.

After a time spent in consideration thereof the committee rose and, through its chairman, reported

Senate Bill No. 1 (file No. 1)

A bill to provide for a State Fuel Administrator.

The committee recommended that the following amendments be adopted, and that the bill then pass:

1. Amend by striking out of line 5 of section 2 the words "and who."
2. Amend by striking out of line 13 of Section 9 the words, "Said administrator may license dealers in the other kinds of fuel, or any of them, when in his judgment the public welfare so demands."
3. Amend by striking out of line 3 of Section 9, the words, "coal and coke" and inserting in lieu thereof the word "fuel."
4. Amend by striking out lines 1, 2 and 3 of Section 10.
5. Amend by inserting in line 2 of Section 12, after the word "coke," the word "only."
6. Amend by striking out of each of lines 4, 6 and 8 of Section 14 the figure "3" where it first occurs and inserting in lieu thereof the letter "C."
7. Amend by striking out Section 15 and inserting in lieu thereof the following:  
Sec. 15. This act shall be deemed to be in full force and effect until and including March 31st, 1923, when the said State Fuel Administrator shall be discharged, after an accounting and settlement of the business and affairs of the office. All records of such office shall then be deposited with the State Administrative Board.

The question being on the adoption of the amendments to the bill recommended by the committee,

The amendments were adopted.

The bill was placed on the order of Third Reading of Bills.

The Sergeant-at-Arms announced Mr. Fuller at the bar of the House.

Mr. Jerome moved that Mr. Fuller be admitted within the bar, and be allowed to take his seat.

The motion prevailed.

The Sergeant-at-Arms announced Mr. Town at the bar of the House.

Mr. Lord moved that Mr. Town be admitted within the bar, and be allowed to take his seat.

The motion prevailed.

The Speaker laid before the House the following telegram, received from Mrs. D. D. Rankin:

"Shelby, Michigan, October 12, 1922.

The Members of Michigan House of Representatives, Lansing, Michigan.

The family of Daniel D. Rankin greatly appreciate your kind remembrance.

Mrs. D. D. Rankin."

The Speaker also laid before the House a letter received from Mrs. Martin Menerey:

"Mt. Pleasant, October 12, 1922.

To the Members of the House of Representatives and former associates of my dear husband, Martin Menerey:

I have just returned from the cemetery where I placed on his grave the memorial wreath received this morning from you.

Words fail me at this time to express my thanks and appreciation. We hope he knows.

Mart had hopes almost to the last to be with you in January, 1923, and his name was printed on the ballot for the primary election, thus showing the loyalty

and hope of his friends here. But it seems it was not to be, and we must not question.

Sincerely yours,

Edna B. Menerey."

Mr. Dunn moved that the rules be suspended and that Senate Bill No. 1 (file No. 1) be placed on its immediate passage.

The motion prevailed, two-thirds of all the members present voting therefor.

Senate Bill No. 1 (file No. 1), entitled

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

Was then read a third time and passed, a majority of all the members-elect voting therefor, by yeas and nays, as follows:

#### YEAS—76

Mr. Aldrich	Mr. Glaspie	Mr. Leedy	Mr. Read
Allard	Gowdy	Lennon	Reutter
Atwood	Green	Lewis	Robinson
Averill	Haan	Locke	Rowe
Barnard	Hall	Lord	Sanson
Butler	Harris	McKeon	Sargent
Case	Hart	Manwaring	Smith
Copley	Hartway	Meggison	Stevenson
Culver	Hopkins	Miles	Strauch
Curtis	Hubbard	Miller, Geo. H.	Strom
Dacey	Hunter	Miller, Wm. F.	Titus
Dafoe	Jensen	Morrison	Town
Danz	Jerome	Nevins	Wade
DeWitt	Jewell	O'Brien	Warner, Jos. E.
Emerson	Johnson	Olmsted	Watson
Ewing	Kirby	Osborn	Wells
Farrier	Kooyers	Palmer	Welsh
Francis	Ladd	Rasmussen	Woodruff
Gettel	Lee	Rauchholz	Speaker

#### NAYS—13

Mr. Braman	Mr. Dunn	Mr. Fuller	Mr. MacDonald
Brown	Evans	Holland	Ramsey
Bryan	Frick	Liddy	Vine
Byrum			

The House agreed to the title of the bill.

Mr. Lord moved that the bill be given immediate effect.

The motion prevailed, two-thirds of all the members-elect voting therefor.

Mr. Culver, having reserved the right to explain his vote, made the following explanation:

I voted for this bill and voted to give it immediate effect in order to hurry as rapidly as possible the opportunity to have this question tested in the Supreme Court. I believe that this bill is absolutely unconstitutional. Therefore the question is to pass this bill, give it immediate effect and give the court a crack at it.

Mr. Liddy, having reserved the right to explain his vote, made a statement to the House.

Mr. Haan moved that all further proceedings under the call be dispensed with. The motion prevailed.

Messrs. Dunn and Rasmussen asked, but were refused, leave of absence from the afternoon session.

Mr. Welsh moved that the statement of Mr. Liddy, made in explanation of his vote on Senate Bill No. 1 (file No. 1) be not printed in the Journal, for the reason that it was not a proper explanation of his vote.

Mr. Lewis moved that the House take a recess until 2:30 o'clock p. m.  
The motion prevailed.

#### After Recess.

2:30 o'clock p. m.

The House was called to order by the Speaker.

The Speaker stated that the pending question at the time the recess was taken was the motion made by Mr. Welsh that the remarks of Mr. Liddy in explanation of his vote be not printed in the Journal, and that that was the question now before the House.

Mr. Reutter demanded the previous question.

The demand was seconded.

The question being, shall the main question be now put,

The previous question was ordered.

The question being on the motion made by Mr. Welsh, that the remarks made by Mr. Liddy in explanation of his vote, be not printed in the Journal.

The motion prevailed.

By unanimous consent the House took up the order of

#### MESSAGES FROM THE SENATE.

A message was received from the Senate transmitting the following resolution: Senate Concurrent Resolution No. 2.

Resolved by the Senate (the House of Representatives concurring) that one thousand extra copies of the "Coal Act" be printed in pamphlet form for the use of the Senators and Representatives and for distribution to citizens who may request the same.

Mr. Copley moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed, two-thirds of all the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

A message was received from the Senate re-transmitting Senate Bill No. 1 (file No. 1)

A bill to provide for the appointment of a State Fuel Administrator.

The message informed the House of Representatives that the Senate had non-concurred in the adoption of the amendments made to the bill by the House of Representatives.

Mr. Copley moved that the House insist on its amendments and ask for a conference on the matters of difference between the two houses relative to the bill.

The motion prevailed.

A message was received from the Senate re-transmitting, together with the House amendments thereto, disagreed to by the Senate,

Senate Bill No. 1 (file No. 1)

A bill to provide for the appointment of a State Fuel Administrator.

The message informed the House of Representatives that the Senate had granted the request of the House of Representatives for a conference on the matters of difference between the two Houses relative to the bill, and had appointed Senators Brower, Sink, and Vandenboom as conferees on the part of the Senate at said conference.

The Speaker named as conferees on the part of the House of Representatives, Messrs. Welsh, Wells, and Lennon.

Mrs. Dunn moved that the House take a recess until 4:45 o'clock p. m.

The motion prevailed.

**After Recess.**

4:45 o'clock p. m.

The House was called to order by the Speaker.

The House resumed the order of

**MESSAGES FROM THE SENATE.**

A message was received from the Senate re-transmitting, together with the conference report thereon,

Senate Bill No. 1 (file No. 1)

A bill to provide for the appointment of a State Fuel Administrator.

The message informed the House of Representatives that the Senate had adopted the conference report.

The following is the Conference Report:

**CONFERENCE REPORT.**

The Committee on Conference on the matters of difference between the two Houses, relative to

Senate Bill No. 1 (file No. 1), entitled

A bill to provide for the appointment of a State fuel administrator; to prescribe his powers and duties; to provide for relief from conditions resulting from the shortage of fuel; and to make an appropriation for the purposes of this act.

Having met and considered matters of difference, have agreed to recommend, and do recommend as follows:

That the Senate recede from its disagreement to the following House amendments:

**Section 2:**

Line 3—Insert after the word "administrator" a comma and after the comma the word "who."

Line 5—Strike out the words "but if such."

Line 5—Strike out the word "extra."

Lines 6 and 7—Strike out the words "unless otherwise ordered by the State Administrative Board."

**Section 5:**

Line 1—Insert after the word "administrator" the word "or."

Line 1—Strike out after the word "deputy" the words "or employe."

Line 6—Strike out the words "or employe."

Line 11—Strike out the words "or employe."

Line 12—Insert after the word "administrator" the word "or."

Line 13—Strike out the words "or employe."

Add at the end of Section 5 the following:

"Provided, however, That any person in the employ of the administrator who shall divulge any information secured by him in respect to the transactions, property or business of any person, firm or corporation, or association, to any person other than the administrator or some proper employe, unless called upon to do so by a court of competent jurisdiction in this state, shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, and shall thereafter be disqualified to serve in the office of fuel administrator."

**Section 8:**

Line 11—Strike out the words "any circuit court" and insert in lieu thereof "the circuit court for the county in which such person resides, or such fuel is located."

Line 20—Strike out the words "he shall so find he" and insert in lieu thereof "the court shall find a violation of the provisions of this section then the court."

## Section 9:

Line 3—Strike out the words "coal or coke" and insert in lieu thereof the word "fuel."

Line 1—Strike out the word "ten" and insert in lieu thereof the word "twenty."

Line 4—Insert after the word "upon" the words "and determine."

Line 13—Strike out the words "said administrator may license dealers in the other kinds of fuel, or any of them, when in his judgment the public welfare so demands."

Line 16—Strike out the word "he" and insert in lieu thereof "the administrator or his deputy."

Line 18—Strike out commencing with the word "and" down to and including the word "suspension" in line 21.

## Section 10:

Lines 1, 2 and 3—Strike out.

## Section 12:

Line 2—Insert after the word "coal" the word "and."

Line 2—Insert after the word "coke" the word "only."

Line 2—Strike out commencing with the word "charcoal" down to and including the word "electricity" in line 3.

## Section 14:

Lines 4, 6 and 8—Strike out the figure "3" where it first occurs in each of said lines and insert in lieu thereof the letter "c."

## Section 15:

Amend by striking out Section 15 and inserting the following to stand as Section 15:

"This act shall be deemed to be in full force and effect until and including March 31, 1923, when the said State Fuel Administrator shall be discharged after an accounting and settlement of the business and affairs of the office. All records of such office shall then be deposited with the State Administrative Board."

That as to the following amendment:

In Line 17, Section 9, insert after the word "hearing" the following words: "Held in the county where such licensee resides," the Committee recommends that the amendment be amended to read as follows:

In Line 17, insert after the word "hearing" the following words: "Held in the county where such licensee is licensed to do business."

And that as thus amended, it be agreed to by each House.

F. H. VANDENBOOM,  
CHARLES SINK,  
BURNEY E. BROWER,

Conferees on the part of the Senate.

GEORGE WELSH,  
FRED B. WELLS,  
PETER B. LENNON,

Conferees on the part of the House of Representatives.

The question being on the adoption of the conference report,

The conference report was adopted, a majority of all the members-elect voting therefor, by yeas and nays, as follows:



## YEAS—64

Mr. Aldrich	Mr. Gettel	Mr. Leedy	Mr. Rasmussen
Atwood	Glaspie	Lennon	Rauchholz
Averill	Gowdy	Lewis	Read
Barnard	Haan	Locke	Reutter
Byrum	Hall	Lord	Robinson
Case	Harris	McKeon	Rowe
Copley	Hopkins	Manwaring	Sanson
Culver	Hubbard	Meggison	Smith
Curtis	Hunter	Miles	Stevenson
Dacey	Jensen	Miller, Geo. H.	Strauch
Dafoe	Jerome	Miller, Wm. F.	Titus
Danz	Johnson	Morrison	Wade
DeWitt	Kirby	O'Brien	Warner, Jos. E.
Emerson	Kooyers	Olmsted	Wells
Ewing	Ladd	Osborn	Welsh
Francis	Lee	Palmer	Speaker

## NAYS—10

Mr. Braman	Mr. Frick	Mr. Liddy	Mr. Moore
Brown	Fuller	MacDonald	Vine
Evans	Holland		

Mr. Liddy, having reserved the right to explain his vote, made the following statement:

"I voted against this bill, first, because I believe it is unconstitutional; second, because I believe it is unnecessary, because there is no emergency; and third, because I do not believe that this bill will bring more coal into Michigan or that this bill will give us cheaper coal or that this bill will be effective in regulating the distribution of coal."

Mr. Moore, having reserved the right to explain his vote, made the following statement:

"I voted against this bill because I believe it is useless and absurd and will not accomplish the object for which it was intended and that it might be dangerous as defeating the very purpose for which it is intended; and in that connection, I am relying upon history, and I want to tell you a little story:

"Back in the eleventh century a king reigned over England. This king was a barbarian not familiar with economic laws and their workings. He became so possessed with the idea of his own power that one day he ordered his courtiers to carry his throne to the seashore, and to show his followers his tremendous power he commanded the tide not to rise. That day he got his feet wet. I think that history is repeating itself in Alexander the First of Michigan."

By unanimous consent the House took up the order of

## MOTIONS AND RESOLUTIONS.

Mr. Lord offered the following resolution:

House Concurrent Resolution No. 1.

A resolution relative to final adjournment.

Resolved, by the House of Representatives (the Senate concurring) That when the Legislature adjourns on Friday, October 13th, it stand adjourned until Friday, October 20th, at 11 o'clock a. m., and that when it adjourns on Friday, October 20th, it stand adjourned without day.

Mr. Lord moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed, two-thirds of all the members present voting therefor.

Mr. Wade moved to amend by fixing the date for Monday, October 16.

Mr. Brown moved to amend the amendment by fixing the date for Monday, October 30.

The motion did not prevail.

The question being on the motion to amend offered by Mr. Wade,  
The motion did not prevail.

The question then being on the resolution offered by Mr. Lord,  
Mr. Moore demanded the yeas and nays.

The demand was seconded.

The resolution was then adopted, a majority of all the members present voting therefor, by yeas and nays, as follows:

## YEAS—53

Mr. Aldrich	Mr. Frick	Mr. Kooyers	Mr. Morrison
Atwood	Gettel	Ladd	O'Brien
Averill	Gowdy	Lee	Olmsted
Barnard	Haan	Lennon	Palmer
Copley	Hall	Lewis	Rauchholz
Culver	Harris	Locke	Read
Dacey	Hopkins	Lord	Robinson
Dafoe	Hubbard	MacDonald	Sanson
Danz	Hunter	McKeon	Titus
DeWitt	Jensen	Manwaring	Vine
Emerson	Jerome	Meggison	Wells
Ewing	Johnson	Miller, Geo. H.	Welsh
Farrier	Kirby	Moore	Speaker
Francis			

## NAYS—18

Mr. Braman	Mr. Evans	Mr. Miller, Wm. F.	Mr. Rowe
Brown	Fuller	Nevins	Smith
Byrum	Holland	Osborn	Strauch
Case	Leedy	Rasmussen	Wade
Curtis	Miles		

By unanimous consent the House took up the order of

## MESSAGES FROM THE SENATE.

A message was received from the Senate transmitting the following resolution:  
Senate Concurrent Resolution No. 3.

A concurrent resolution expressing appreciation of the State of Michigan to Dodge Brothers, Incorporated, and Mr. and Mrs. Howard B. Bloomer.

Whereas, Dodge Brothers, Incorporated, have tendered and donated to the State of Michigan eleven public park sites, located in Oakland, Monroe, Macomb and Livingston Counties, as memorials to the late John F. Dodge and Horace E. Dodge, to be used by the public for recreation purposes; and

Whereas, Mr. and Mrs. Howard B. Bloomer have also donated to the State four park sites, located in Oakland County, to be used for like purposes; therefore, be it

Resolved, by the Senate, (the House of Representatives concurring), That the State of Michigan accept said gifts with a deep sense of appreciation of the public spirit and broad vision which have prompted them, and that a copy of this resolution be sent to each of said donors.

Mr. Moore moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed, two-thirds of all the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

A message was received from the Senate informing the House of Representatives that the Senate had concurred in the adoption of the following resolution:

